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APPLICATION NO. FILING DATE		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/723,515		11/26/2003	Ivo Lovato	17515	8943	
25542	7590	10/06/2005		EXAMINER		
CNH AM		-	BEACH, THOMAS A			
PO BOX 18		ROPERTY LAW D 641	ART UNIT	PAPER NUMBER		
NEW HOL	-		3671			

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-		Applica	tion No.	Applicant(s)						
Office Action Summary			515	LOVATO, IVO						
			er	Art Unit						
		Thomas	A. Beach	3671						
Period fo	The MAILING DATE of this communi or Reply	cation appears on th	he cover sheet with the c	correspondence a	ddress					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filled after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).										
Status										
1)	Responsive to communication(s) file	d on .								
2a)□		2b)⊠ This action is	non-final.							
3)[Since this application is in condition	for allowance excep	ot for formal matters, pro	osecution as to th	e merits is					
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.									
Dispositi	ion of Claims									
4)⊠	Claim(s) <u>1-12</u> is/are pending in the application.									
	4a) Of the above claim(s) is/are withdrawn from consideration.									
5)[Claim(s) is/are allowed.									
6)⊠	Claim(s) <u>1-3</u> is/are rejected.									
7)⊠	Claim(s) <u>4-12</u> is/are objected to.									
8)[Claim(s) are subject to restriction and/or election requirement.									
Applicati	on Papers									
9) The specification is objected to by the Examiner.										
10) ☐ The drawing(s) filed on 26 November 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.										
•	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).									
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).									
11)	The oath or declaration is objected to	by the Examiner. N	Note the attached Office	Action or form P	TO-152.					
Priority ι	under 35 U.S.C. § 119									
12)	Acknowledgment is made of a claim t	or foreign priority u	nder 35 U.S.C. § 119(a))-(d) or (f).						
	☐ All b)☐ Some * c)☐ None of:	. ,								
	1 Certified copies of the priority	documents have be	en received.							
	2. Certified copies of the priority			ion No						
	3. Copies of the certified copies of		• •		Stage					
	application from the Internation	nal Bureau (PCT Ru	ıle 17.2(a)).		-					
* 5	See the attached detailed Office action	n for a list of the cer	tified copies not receive	ed.						
Attachmen	• •									
	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (P		4) Interview Summary Paper No(s)/Mail Da	(PTO-413)						
3) 🔲 Inforr	nation Disclosure Statement(s) (PTO-1449 or I		5) Notice of Informal P		O-152)					
	r No(s)/Mail Date	-	6)							

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Barnhart 5,447,331. Barnhart shows wheeled vehicle having a bottom chassis; a top chassis, which is coupled to the bottom chassis so that it is able to turn about a vertical axis; an operating arm coupled to the top chassis (col. 1, lines 15-17); an axle, which is coupled to the bottom chassis so that it can oscillate about a longitudinal axis of the vehicle; a plurality of wheels disposed on the axle; blocking means 131 disposed between the bottom chassis and the axle for angularly blocking the axle about the longitudinal axis with respect to the bottom chassis; a circuit (figs. 1-3) to activate the blocking means and inhibit oscillation of the axle about the longitudinal axis; and an angle sensor (col. 2, lines 23-37) for supplying a signal indicative the angular position of the operating arm about the vertical axis with respect to the bottom chassis.

Ac concerns claim 2, Barnhart shows the circuit comprises a blocking means switch 50 for activating the blocking means according to the signal.

Allowable Subject Matter

3. Claims 3-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Beach

October 1, 2005

THOMAS A. BEACH Patent Examiner Group 3600